

Appl. No. 10/043,629
Amdt. dated January 21, 2004
Response to Office Action of October 29, 2003

PATENT

REMARKS/ARGUMENTS

Claims 19-25, 27-28 and 30-36 are pending.

Claims 19-25, 27-28 and 30-36 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-17 and 23-39 of copending Application Serial No. 09/609,846 (the parent case).

Although it is believed that the double patenting rejection is improper due, in part, to the restriction requirements issued in the parent case and the present case, Applicants hereby submit a Terminal Disclaimer, executed by the undersigned, in compliance with 37 CFR 1.321(c), so as to expedite prosecution and allowance of the pending claims.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

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